

**EDUCATIONAL EXAMINERS BOARD[282]**

**Adopted and Filed**

**Rule making related to substitute authorization**

The Educational Examiners Board hereby amends Chapter 13, “Issuance of Teacher Licenses and Endorsements,” Chapter 22, “Authorizations,” and Chapter 24, “Paraeducator Certificates,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code section 272.2.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code section 272.2.

*Purpose and Summary*

These amendments add substitute authority to holders of the career and technical education authorization, professional service license, and native language teaching authorization; increase the day limit for work in one assignment by a holder of the substitute authorization; change the degree requirement from a bachelor’s degree to an associate’s degree or 60 semester hours of college coursework from a regionally accredited institution; allow for reciprocity; and add a substitute authorization as an area of concentration for paraeducators.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on September 9, 2020, as **ARC 5169C**. A public hearing was held on September 30, 2020, at 1 p.m. in the Board Room, 701 East Court Avenue, Suite A, Des Moines, Iowa. No one attended the public hearing.

The Board received six public comments. Two were in opposition, one from an individual administrator and one from the Iowa State Education Association. One comment from the Iowa Association of School Boards expressed opposition to the removal of the time limit for holders of the substitute authorization but support for other provisions of the rule. The three comments in support of the changes came from two individual administrators and a representative of the Rural School Advocates of Iowa and the Urban Education Network.

In response to public comment, the Board elected to adopt a version of Item 2 that does not remove the time limitation for holders of a substitute authorization to serve in one assignment. The adopted amendments increase this limitation from no more than 5 consecutive days in one assignment or 10 days in a 30-day period to no more than 10 consecutive days in one assignment.

*Adoption of Rule Making*

This rule making was adopted by the Board on October 23, 2020.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

## *Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 282—Chapter 6.

## *Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

## *Effective Date*

This rule making will become effective on January 6, 2021.

The following rule-making actions are adopted:

ITEM 1. Amend rule 282—13.16(272) as follows:

### **282—13.16(272) Specific requirements for a substitute teacher's license.**

**13.16(1) and 13.16(2)** No change.

**13.16(3) Authorization.** The holder of a substitute license is authorized to substitute teach in any school system in any position in which a regularly licensed teacher is employed except in the driver's education classroom. In addition to the authority inherent in the initial, standard, master educator, professional administrator, regional exchange, full career and technical education authorization, full native language teaching authorization, professional service license, and permanent professional licenses and the endorsement(s) held, the holder of one of these regular licenses may substitute on the same basis as the holder of a substitute license while the regular license is in effect. The executive director may grant permission for a substitute to serve outside of a substitute's regular authority under unique circumstances.

ITEM 2. Amend rule 282—22.2(272) as follows:

**282—22.2(272) Substitute authorization.** A substitute authorization allows an individual to substitute in grades PK-12 for no more than 5 ten consecutive days ~~and no more than 10 days in a 30-day period~~ in one job assignment for a regularly assigned teacher who is absent, except in the driver's education classroom. A school district administrator may file a written request with the board for an extension of the ~~10-day~~ ten-day limit in one job assignment on the basis of documented need and benefit to the instructional program. ~~The licensure committee~~ executive director or appointee will review the request and provide a written decision either approving or denying the request. ~~An individual who holds a paraeducator certificate without a bachelor's degree and completes the substitute authorization program is authorized to substitute only in the special education classroom in which the individual paraeducator is employed. For these individuals, the authorization will appear on the paraeducator certificate and will not include separate renewal requirements.~~

**22.2(1) Application process.** Any person interested in the substitute authorization shall submit records of credit to the board of educational examiners for an evaluation in terms of the required courses or contact hours. Application materials are available from the office of the board of educational examiners, online at [www.boee.iowa.gov](http://www.boee.iowa.gov) or from institutions or agencies offering approved courses or contact hours.

*a. Requirements.* Applicants for the substitute authorization shall meet the following requirements:

(1) Authorization program. Applicants must complete a board of educational examiners-approved substitute authorization program consisting of the following components and totaling a minimum of 15 clock hours:

1. Classroom management. This component includes an understanding of individual and group motivation and behavior to create a learning environment that encourages positive social interaction, active engagement in learning, and self-motivation.

2. Strategies for learning. This component includes understanding and using a variety of learning strategies to encourage students' development of critical thinking, problem solving, and performance skills.

3. Diversity. This component includes understanding how students differ in their approaches to learning and creating learning opportunities that are equitable and are adaptable to diverse learners.

4. Ethics. This component includes fostering relationships with parents, school colleagues, and organizations in the larger community to support students' learning and development and to be aware of the board's rules of professional practice and competent performance.

(2) Degree or certificate. Applicants must have achieved at least one of the following: a minimum of an associate's degree or 60 semester hours of college coursework from a regionally accredited institution.

~~1. Hold a baccalaureate degree or higher from a regionally accredited institution.~~

~~2. Completed an approved paraeducator certification program and hold a paraeducator certificate.~~

(3) and (4) No change.

b. Additional requirements. An applicant under this subrule shall be granted a substitute authorization and will not be subject to the authorization program coursework if the following additional requirements have been met:

(1) Verification of Iowa residency or, for military spouses, verification of a permanent change of military installation.

(2) Valid or expired substitute authorization in good standing from another state without pending disciplinary action, valid for a minimum of one year, exclusive of a temporary, emergency license or certificate.

~~b. c.~~ Validity. The substitute authorization shall be valid for five years.

~~c. d.~~ Renewal. The authorization may be renewed upon application and verification of successful completion of:

(1) Renewal units. Applicants for renewal of the substitute authorization must provide verification of a minimum of two licensure renewal units or semester hours of renewal credits.

(2) Child and dependent adult abuse trainings. Every renewal applicant must submit documentation of completion of the child and dependent adult abuse trainings pursuant to 282—subrule 20.3(4).

**22.2(2) and 22.2(3)** No change.

~~22.2(4) Preservice substitute authorization.~~ A nonrenewable preservice substitute authorization may be issued to applicants who do not meet the requirements in subrule 22.2(1) but who are enrolled in a state-approved Iowa teacher preparation program.

~~a. Requirements.~~ Eligible applicants for the preservice substitute authorization shall meet the following requirements:

~~(1) Recommendation from the designated recommending official at the Iowa institution where the applicant is enrolled as a teacher preparation candidate. The recommending official will verify the following for each applicant:~~

~~1. Full admission into a teacher preparation program, which must include passing scores on entry assessments.~~

~~2. Junior or senior standing.~~

~~3. Exemplary classroom readiness as identified by the teacher preparation program.~~

~~(2) Background check.~~ Applicants must complete the background check requirements set forth in rule 282—13.1(272).

~~(3) Minimum age.~~ Applicants must have attained a minimum age of 21 years.

~~*b. —Validity.* The preservice substitute authorization is valid for a maximum of two years. Holders of this authorization may not use substituting experience to supplant required field experiences or student teaching. This authorization may not be renewed or extended.~~

ITEM 3. Amend rule 282—24.4(272) as follows:

**282—24.4(272) Paraeducator area of concentration.** An area of concentration is not required but optional. Applicants must currently hold or have previously held an Iowa paraeducator generalist certificate. Applicants may complete one or more areas of concentration but must complete at least 45 clock hours in each area of concentration, with the exception of the substitute authorization.

**24.4(1) to 24.4(8)** No change.

**24.4(9) *Paraeducator substitute authorization.*** An individual who holds a paraeducator certificate and completes the substitute authorization requirements set forth in rule 282—22.2(272) but who does not meet the degree requirement in subparagraph 22.2(1) “a”(2) is authorized to substitute only in the special education classroom in which the individual paraeducator is employed.

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 12/2/20.